



Applicant's Attorney believes that the patent term adjustment should be an additional 306 days of patent term adjustment, for a total of 1052 days. For the reasons stated herein, reconsideration of this patent term adjustment is respectfully requested pursuant to 37 C.F.R. 1.705(b). Please charge the petition fee pursuant to 37 C.F.R. § 1.18(e) to Deposit Account No. 23-1925. Please charge any additional fee required or credit for any excess fee paid to Deposit Account No. 23-1925.

The patent term adjustment for U.S. patent application number 10/776,721 was calculated by the U.S. Patent and Trademark Office based on activities and associated dates detailed in the Patent Application Information Retrieval (PAIR) system Patent Term Adjustment History, attached as Exhibit B. Applicant's Attorney believes that errors and/or omissions in the calculation may have resulted in an incorrect patent term adjustment for U.S. patent application number 10/776,721 as described in detail below. Pursuant to 37 C.F.R. §1.705(d), this request for reconsideration is being filed within two months of the issue date of the above-referenced patent. Note that U.S. patent application number 10/776,721 is not subject to a terminal disclaimer. In addition, there were no circumstances during the prosecution of the application resulting in the patent that constitute a failure of the Applicant to engage in reasonable efforts to conclude processing or examination of the present application as set forth in 37 C.F.R. §1.704.

**Period of adjustment for activities prior to mailing of Notice of Allowance**

As detailed in the Patent Term Adjustment History that is attached as Exhibit B, the patent term adjustment indicated on the Notice of Allowance was 746 days.

**Period of adjustment pursuant to 37 C.F.R. § 1.703(a)**

The period of adjustment pursuant to 37 C.F.R. § 1.703(a) constitutes the “A period” or “A delay” under 35 U.S.C. § 154(b)(1)(A). Applicant’s Attorney has calculated the “A period” delay in this case as 746 days.

**Period of adjustment pursuant to 37 C.F.R. § 1.703(b)**

The period of adjustment pursuant to 37 C.F.R. § 1.703(b) is the number of days in the period beginning on the day (“the 3 year date”) after the date that is three years after the date on which the application was filed pursuant to 35 U.S.C. § 111(a) until the patent issues, not including the period from the filing of an RCE until the patent issues. This period of time constitutes the “B period” or “B delay” under 35 U.S.C. § 154(b)(1)(B).

The present application was filed on February 11, 2004 as evidenced by the official filing receipt attached as Exhibit C. The 3 year date determined pursuant to 37 C.F.R. § 1.703(b) is February 11, 2007. An RCE was filed on February 28, 2008. Therefore, the “B period” delay is 382 days.

**Total patent term adjustment**

Under *Wyeth v. Kappos*, No. 2009-1120 (Fed. Cir. Jan. 7, 2010), the “A period” and “B period” delay should be added together to the extent that they do not overlap.

As indicated by the PAIR system Patent Term Adjustment History, attached as Exhibit B, the period of time from February 11, 2007 until April 27, 2007 (76 days) is “A period” delay and “B Period” delay. This 76 days is overlap and should only be counted once.

According to our calculations, we believe that the total patent term adjustment should be: 746 ("A Period") plus 382 ("B period") minus 76 (overlap), equals 1052 days. Therefore, we believe the total patent term adjustment should be 1052 days instead of 746 days indicated on the Notice of Allowance attached as Exhibit A.

It is respectfully asserted that the patent term adjustment determined by the U.S. Patent and Trademark Office for U.S. patent application number 10/776,721 may not be correct. Accordingly, Applicant's Attorney respectfully requests the U.S. Patent and Trademark office to reconsider, and make revisions to the PAIR system Patent Term Adjustment History in view of the previous remarks to award 1052 days. In addition, it is respectfully requested that the patent term adjustment be re-calculated by the U.S. Patent and Trademark Office in view of the above remarks. Moreover, it is respectfully requested a Certificate of Correction be issued for U.S. patent application number 10/776,721 to indicate that 1052 days of patent term adjustment have been awarded, if a patent issues before the re-calculation and correction is made. Office personnel are invited to contact Applicant's Attorney via telephone (direct line (734) 302-6022) if such communication would be beneficial in fulfilling this request.

Respectfully submitted,

/Bonnie R. Shaw/  
Bonnie R. Shaw  
Registration No. 60,493  
Attorney for Applicants

BRINKS HOFER GILSON & LIONE  
524 SOUTH MAIN STREET  
SUITE 200  
ANN ARBOR, MICHIGAN 48104  
(734) 302-6000

# Exhibit A



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

## NOTICE OF ALLOWANCE AND FEE(S) DUE

7590 11/19/2009

Lawrence G. Almeda  
BRINKS HOFER GILSON & LIONE  
P.O. Box 10395  
Chicago, IL 60610

EXAMINER

SEVERSON, RYAN J

ART UNIT

PAPER NUMBER

3731

DATE MAILED: 11/19/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/776,721

02/11/2004

Thomas A. Osborne

8627-451

2837

TITLE OF INVENTION: REMOVABLE VENA CAVA FILTER

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	02/19/2010

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.**

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.**

### HOW TO REPLY TO THIS NOTICE:

#### I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
or Fax (571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

7590 11/19/2009

Lawrence G. Almeda  
BRINKS HOFER GILSON & LIONE  
P.O. Box 10395  
Chicago, IL 60610

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/776,721	02/11/2004	Thomas A. Osborne	8627-451	2837
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TITLE OF INVENTION: REMOVABLE VENA CAVA FILTER

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
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nonprovisional	NO	\$1510	\$300	\$0	\$1810	02/19/2010
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EXAMINER	ART UNIT	CLASS-SUBCLASS
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SEVERSON, RYAN J	3731	606-200000
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1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_
- 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_

Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



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United States Patent and Trademark Office  
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Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/776,721

02/11/2004

Thomas A. Osborne

8627-451

2837

7590

11/19/2009

Lawrence G. Almeda  
BRINKS HOFER GILSON & LIONE  
P.O. Box 10395  
Chicago, IL 60610

EXAMINER

SEVERSON, RYAN J

ART UNIT

PAPER NUMBER

3731

DATE MAILED: 11/19/2009

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 746 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 746 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.



<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/776,721	OSBORNE, THOMAS A.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Ryan J. Severson	3731	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendments filed 7/23/2009.
2. ☒ The allowed claim(s) is/are 1,2,6,8-16,18,19 and 56-59.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br/>Paper No./Mail Date _____</li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application</li> <li>6. <input type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____.</li> <li>7. <input type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____.</li> </ol> |
|---|---|

Ryan J. Severson

/Anhtuan T. Nguyen/  
Supervisory Patent Examiner, Art Unit 3731

## Exhibit B

**Patent Term Adjustments**

Patent Term Adjustment (PTA) for Application Number: 10/776,721

Filing or 371(c) Date:	02-11-2004	USPTO Delay (PTO) Delay (days):	746
Issue Date of Patent:	-	Three Years:	-
Pre-Issue Petitions (days):	+0	Applicant Delay (APPL) Delay (days):	0
Post-Issue Petitions (days):	+0	Total PTA (days):	746
USPTO Adjustment(days):	+0	Explanation Of Calculations	

**Patent Term Adjustment History**

Date	Contents Description	PTO(Days)	APPL(Days)
11-19-2009	Mail Notice of Allowance		
11-14-2009	Document Verification		
11-14-2009	Notice of Allowance Data Verification Completed		
09-07-2009	Date Forwarded to Examiner		
07-23-2009	Response after Non-Final Action		
04-23-2009	Mail Non-Final Rejection		
04-23-2009	Non-Final Rejection		
02-20-2009	Date Forwarded to Examiner		
02-20-2009	Date Forwarded to Examiner		
01-28-2009	Request for Continued Examination (RCE)		
02-20-2009	Disposal for a RCE / CPA / R129		
01-28-2009	Workflow - Request for RCE - Begin		
01-15-2009	Mail Advisory Action (PTOL - 303)		
01-15-2009	Advisory Action (PTOL-303)		
01-13-2009	Date Forwarded to Examiner		
12-29-2008	Amendment after Final Rejection		
12-22-2008	Mail Examiner Interview Summary (PTOL - 413)		
12-16-2008	Examiner Interview Summary Record (PTOL - 413)		
10-28-2008	Mail Final Rejection (PTOL - 326)		
10-27-2008	Final Rejection		
08-23-2008	Date Forwarded to Examiner		
07-30-2008	Response after Non-Final Action		
05-21-2008	Mail Examiner Interview Summary (PTOL - 413)		
05-15-2008	Examiner Interview Summary Record (PTOL - 413)		
04-30-2008	Mail Non-Final Rejection		
04-28-2008	Non-Final Rejection		
03-07-2008	Date Forwarded to Examiner		
03-07-2008	Date Forwarded to Examiner		
02-28-2008	Request for Continued Examination (RCE)		
03-07-2008	Disposal for a RCE / CPA / R129		
03-06-2008	Mail Examiner Interview Summary (PTOL - 413)		
02-26-2008	Examiner Interview Summary Record (PTOL - 413)		
02-28-2008	Workflow - Request for RCE - Begin		

02-20-2008	Case Docketed to Examiner in GAU	
02-19-2008	Case Docketed to Examiner in GAU	
02-12-2008	Case Docketed to Examiner in GAU	
02-01-2008	Case Docketed to Examiner in GAU	
11-28-2007	Mail Final Rejection (PTOL - 326)	
11-26-2007	Final Rejection	
09-13-2007	Date Forwarded to Examiner	
09-06-2007	Response after Non-Final Action	
06-06-2007	Mail Non-Final Rejection	
05-29-2007	Non-Final Rejection	
05-17-2004	Information Disclosure Statement considered	
10-29-2004	Information Disclosure Statement considered	
05-25-2007	Date Forwarded to Examiner	
05-21-2007	Response to Election / Restriction Filed	
04-27-2007	Mail Restriction Requirement	746
04-26-2007	Requirement for Restriction / Election	↑
07-25-2006	Miscellaneous Incoming Letter	↑
03-16-2005	IFW TSS Processing by Tech Center Complete	↑
10-29-2004	Information Disclosure Statement (IDS) Filed	↑
10-29-2004	Information Disclosure Statement (IDS) Filed	↑
05-17-2004	Information Disclosure Statement (IDS) Filed	↑
05-17-2004	Information Disclosure Statement (IDS) Filed	↑
03-16-2005	Case Docketed to Examiner in GAU	↑
10-29-2004	Reference capture on IDS	↑
05-17-2004	Reference capture on IDS	↑
08-09-2004	Application Return from OIPE	↑
08-09-2004	Application Return TO OIPE	↑
08-09-2004	Application Dispatched from OIPE	↑
08-09-2004	Application Is Now Complete	↑
03-19-2004	Cleared by OIPE CSR	↑
03-06-2004	IFW Scan & PACR Auto Security Review	↑
02-11-2004	Initial Exam Team nn	↑

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**Close Window**

# Exhibit C



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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/776,721	02/11/2004	3762	1400	8627-451	5	55	3

Lawrence G. Almeda  
 BRINKS HOFER GILSON & LIONE  
 P.O. Box 10395  
 Chicago, IL 60610

CONFIRMATION NO. 2837

## FILING RECEIPT



\*OC000000013485582\*

Date Mailed: 08/09/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Thomas A. Osborne, Bloomington, IN;

## Assignment For Published Patent Application

Cook Incorporated;

## Domestic Priority data as claimed by applicant

This appln claims benefit of 60/446,711 02/11/2003

## Foreign Applications

If Required, Foreign Filing License Granted: 08/09/2004

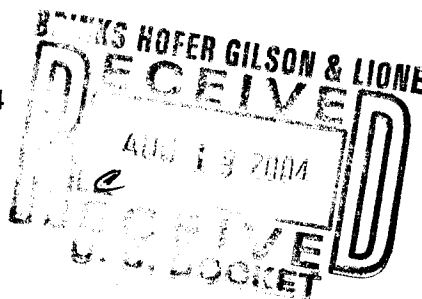
Projected Publication Date: 11/18/2004

Non-Publication Request: No

Early Publication Request: No

## Title

Removable vena cava filter



**Preliminary Class**

604

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).